IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.51006-M of 2006

DATE OF DECISION:19.10.2006

ASI Jagir Singh .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Karambir Kahlon, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

Ms. Reena Bains, Advocate
for the complainant.

****

Petitioner ASI Jagir Singh apprehending his arrest in a non-bailable offence in case FIR No. 100 dated 5.8.2006 under Sections 451/380 IPC, registered at Police Station Chheharata, District Amritsar has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in this case, the complainant is wife of brother-in-law of the petitioner and allegation against him is that he along with other persons entered into the house of the complainant and took some house hold articles. Counsel contends that the alleged incident is dated 17.12.2005, whereas the FIR has been registered on false facts on 5.8.2006.

Counsel for the petitioner contends that in view of the order dated 28.8.2006, the petitioner has joined the investigation. Counsel for the respondent-State on instructions from Head Constable Sarwan Singh does

not dispute this fact and further states that the petitioner is no more required for further interrogation.

In view of the above, the interim bail, granted vide order dated 28.7.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 19, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**